

REMARKS

Claims 1-3, 5-13, 15-29 and 31-58 were pending in this application. In the Office Action, claims 43-52 and 54 and 58 were allowed; claims 26-29 and 56 were objected to; and claims 1-3, 5-13, 15-25, 31-42, 53, 55 and 57 were rejected.¹

Claims 1-25, 31-42, 53, 55 and 57 are hereby canceled without prejudice or disclaimer. Claims 26-29, 43-52, 54, 56 and 58 are hereby amended to more specifically recite inherent aspects of the invention as originally claimed.

Reconsideration of this application as amended, and allowance of all pending claims 26-29, 43-52, 54, 56 and 58, as amended, are hereby respectfully requested.

Claim Objection

In paragraph 2 of the Office Action, claim 26 was objected to for including informalities. Specifically, claim 26 was objected to for reciting “a second VoIP gateway” in line 10 without reciting “a first VoIP gateway.” Claim 26 is amended herein to specifically recite “a first VoIP gateway.” Therefore, this objection is overcome in view of the amendment.

¹ The Office Action Summary indicates as none of the claims being allowed, claims 1-53 and 55-58 as being rejected and claim 54 as being objected to. Disposition of claims indicated in the office action summary appears to be incorrect and inconsistent with the disposition of claims as set forth the detailed action section of the Office Action. Specifically, paragraphs 4-13 of the Office Action indicates that claims 1-3, 5-13, 15-25, 31-42, 53, 55 and 57 as being rejected. Further, paragraph 14 of the Office Action indicates claims 43-52, 54 and 58 as being allowed, and paragraph 15 of the Office Action indicates claims 26-29 and 56 as being objected to. This response is based on the disposition set forth in the detailed action section of the Office Action.

Claim Rejection under 35 USC § 103(a)

In paragraph 4 of the Office Action, claims 1-2, 6-8, 12-13, 15-19, 32-33, 36, 41-42 and 53 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0133558 (“Kung ‘558”) in view of U.S. Patent Application Publication No. 2002/0071537 (“Gainsboro ‘537”). Claims 1-2, 6-8, 12-13, 15-19, 32-33, 36, 41-42 and 53 are canceled herein. Accordingly, this rejection is now moot.

In paragraph 5 of the Office Action, claim 31 was rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 5,971,272 (“Hsiao”). Claim 31 is canceled herein. Accordingly, this rejection is now moot.

In paragraph 6 of the Office Action, claims 3, 10-11 and 22-23 were rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 6,876,647 (“Cell”). Claims 3, 10-11 and 22-23 are canceled herein. Accordingly, this rejection is now moot.

In paragraph 7 of the Office Action, claim 5 was rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 6,795,444 (“Vo.”). Claim 5 is canceled herein. Accordingly, this rejection is now moot.

In paragraph 8 of the Office Action, claims 9, 21, 35, 55 and 57 were rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 6,687,360 (“Kung ‘360”). Claims 9, 21, 35, 55 and 57 are canceled herein. Accordingly, this rejection is now moot.

In paragraph 9 of the Office Action, claim 20 was rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent Application Publication No. 2001/0028649 (“Pogossiants et al.”). Claim 20 is canceled herein. Accordingly, this rejection is now moot.

In paragraph 10 of the Office Action, claims 24 and 25 were rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 6,445,682 (“Weitz”). Claims 24 and 25 are canceled herein. Accordingly, this rejection is now moot.

In paragraph 11 of the Office Action, claims 34, 37 and 39 were rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent No. 6,611,583 (“Gainsboro ‘583”). Claims 34, 37 and 39 are canceled herein. Accordingly, this rejection is now moot.

In paragraph 12 of the Office Action, claim 38 was rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S.

Patent No. 5,907,602 (“Peel et al.”). Claim 38 is canceled herein. Accordingly, this rejection is now moot.

In paragraph 13 of the Office Action, claim 40 was rejected under 35 USC § 103(a) as being unpatentable over Kung ‘558 in view of Gainsboro ‘537, further in view of U.S. Patent Application Publication No. 2003/0023714 (“Ziegler et al.”). Claim 40 is canceled herein. Accordingly, this rejection is now moot.

Allowable Subject Matter

In paragraph 14 of the Office Action, claims 43-52, 54 and 58 were indicated as being allowed. Specifically, the Office Action states in paragraph 16 that claim 43 is allowed for reciting “a second VoIP gateway between the PSTN and the IP network; and a three-way call detection system between said second VoIP and said PSTN.” Further the Office Action states in paragraph 16 that claim 54 is allowed for reciting “a three-way call detection system disposed between said second VoIP gateway and said offsite switched telephone network, where said three-way call detection system performs a three-way call detection upon a telephone signal that has been depacketized by said second VoIP gateway.”

Claims 43 and 54, as amended, still retain the features indicated in the Office Action as allowable subject matter. Specifically, claim 43, as amended, still recites “the second VoIP gateway placed between the PSTN and the IP network, and the three-way call detection system placed between said second VoIP gateway and said PSTN.” Likewise, claim 54, as amended, also recites “a three-way call detection system disposed between said second VoIP

gateway and said offsite PSTN, said three-way call detection system configured to perform three-way call detection upon the telephone signals,” which was indicated as containing allowable subject matter.² Accordingly, Applicants submit that claims 43 (and its dependent claims 44-52 and 58) and claim 54 recite allowable subject matter notwithstanding the amendment to these claims.

In paragraph 15 of the Office Action, claims 26-29 and 56 were indicated as being allowable if rewritten to overcome the claim objection. Claim 26 is amended herein to overcome the objection by reciting “a first VoIP gateway” as set forth above. Although claim 26, as amended, includes further changes, the feature indicated as allowable subject matter was retained. Specifically, the Office Action states in paragraph 16 that claim 26 is allowable for reciting “a three-way call detection system for imposing a three-way call restriction, said three-way call detection system being disposed between a second VoIP gateway and said offsite public switched telephone network.” The same feature is left unmodified in claim 26, as amended. Therefore, the Examiner is respectfully requested to allow claim 26 and its dependent claims 27-29 and 56.

² The limitation of “the telephone signal that has been depacketized by said second VoIP gateway” previously recited in claim 54 is retained in a modified manner. Specifically, claim 54, as amended, recites “a second VoIP gateway . . . processing the VoIP communication packets into telephone signals,” which is essentially the same as the limitation deleted from previous claim 54. Therefore, the feature of claim 54 indicated in the Office Action as being the reason of allowance is retained in amended claim 54.

Conclusion

It is submitted that all pending claims 26-29, 43-52, 54, 56 and 58 as amended, are in condition for allowance. Favorable action is solicited.

Respectfully Submitted,
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